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July 28, 2022

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/29/2022

EMILY JANE GOODMAN
JUSTICE NYS SUPREME COURT, RET.
FRANK HANDELMAN

REF: 8430.01

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MEMO ENDORSED

VIA ECF
The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10038

Granted. SO ORDERED.

/s/ Lewis A. Kaplan (mab)
Lewis A. Kaplan, U.S. District Judge
Dated: July 29, 2022

Re: *Feliciano, Madline v. The City of New York, et al.*, 20-cv-10033-LAK

Your Honor:

My office represents Plaintiff Madeline Feliciano, Guardian of Nicholas Feliciano, in the above-referenced matter. I write pursuant to the Court's June 15, 2022 Order (ECF No. 63) for a status report proposing a schedule for further proceedings or stating if there is a disagreement on how to proceed. As the Court is aware, Defendants City of New York and Tasha Lambre have requested a stay in this matter due to a pending criminal investigation regarding this incident. The request was made upon consent of Plaintiff without prejudice to further requests for a stay or opposition to such a further request by any party and granted by the Court.

On behalf of Plaintiff and Defendant City of New York, we respectfully request a brief extension of the stay. Plaintiff submits the enclosed Proposed Stipulation and Order to extend the stay until at least August 27, 2022 with a further status report due on August 27, 2022. The parties are unable to submit a fully executed Proposed Stipulation and Order today and unable to provide a proposed schedule for further proceedings, as counsel for the City of New York is on family medical leave. The parties will supplement this status report with the fully executed Proposed Stipulation and Order as soon as possible.

We thank the Court for its consideration of this matter.

BELDOCK LEVINE & HOFFMAN LLP

The Honorable Lewis A. Kaplan
July 28, 2022
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jonathan C. Moore". The signature is fluid and cursive, with the first name "Jonathan" being more prominent and the last name "Moore" following in a similar style.

Jonathan C. Moore

cc: All Counsel (By ECF)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
Madeline Feliciano, guardian of Nicholas Feliciano,

Plaintiff,

-against-

The City of New York; New York City Health and Hospitals Corporation (“HHC”); NYS Parole Officer Tasha Lambre; John Doe 1 (intake officer); John Doe 2 (intake officer HHC); Jane Doe 1 (placement or classification officer); HHC Jane Roe; Richard Roe 1 (transfer officer); Mark Peralta; Captain Terry Henry; New York City Corrections Officer (“C.O.”) Daniel Fullerton; C.O. Kenneth Hood; C.O. Konstantinos Makridis; C.O. Mark Wilson; C.O. Nicholas Prensa; EMS John Doe; EMS Jane Doe; and C.O.s John and Jane Does 1 – 8; in their individual capacities,

STIPULATION AND
ORDER

20-cv-10033 (LAK)

Defendants.
-----X

WHEREAS, THE PARTIES have conferred and determined that a continued stay of this matter is appropriate until at least August 27, 2022, in light of ongoing investigations by governmental authorities into the subject-matter of this lawsuit; and

WHEREAS, the Court previously further ordered, on consent, that this matter should be stayed until July 28, 2022;

IT IS HEREBY STIPULATED AND AGREED as follows:

1. All proceedings and deadlines in this matter should be stayed until at least August 27, 2022;

2. The parties shall submit a status report to the Court on August 27, 2022, proposing a schedule for further proceedings or stating if there is a disagreement regarding how to proceed;

3. The time for defendants to answer or otherwise respond to the complaint shall be adjourned until further order of the Court, to be determined at some time after August 27, 2022;

4. This stipulation is without prejudice to further requests for a stay or opposition to such a further request by any party.

Dated: New York, New York
July 28, 2022

Respectfully submitted,

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel of the City of New York
Attorney for Defendant City of New York
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SO ORDERED:

HON. LEWIS A KAPLAN
U.S. DISTRICT COURT JUDGE

DATED: _____